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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,614	04/14/2005	Wilhelmus Franciscus Johannes Fontijn	NL 021033	8370

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

HAUPT, KRISTY A

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/531,614

Applicant(s)

FONTIJN, WILHELMUS
FRANCISCUS JOHANNES

Examiner

Kristy A. Haupt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-10 have been examined.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-5, 7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruppert et al. US 5,640,002.

Ruppert teaches:

With respect to claim 1, a method for identifying an item to which a radio frequency tag is attached by means of a radio frequency tag detector, wherein radio frequency contact is established between the tag and the detector and information identifying the item and being stored by the tag is received by the detector, the method being characterized in that it comprises the steps of:

- Mapping a unique item identifier against the information stored by the tag and received by the detector (Column 32, Lines 9-41)
- Presenting the unique item identifier for a user of the detector (Column 32, Lines 37-41)

With respect to claim 3 and incorporating all arguments of claim 1:

- Wherein the unique item identifier comprises a display signal (Column 32, Lines 37-41)

With respect to claim 4 and incorporating all arguments of claim 1:

- Generating a list of the information identifying each item and presenting the unique item identifier corresponding to the information stored by the tag attached to each item to a user (Column 32, Lines 9-41)

With respect to claim 5, a system for identifying an item to which a radio frequency tag is attached, the system comprising a radio frequency tag detector arranged to establish radio frequency contact with the tag and being arranged to receive information stored by the tag identifying the item, the system being characterized in that it comprises:

- A first means arranged to map a unique item identifier against the information stored by the tag and received by the detector (Column 32, Lines 9-41)
- A second means arranged to present the unique item identifier for a user of the detector (Column 32, Lines 37-41)

With respect to claim 7 and incorporating all arguments of claim 5:

- Wherein the unique item identifier comprises a displayable signal (Column 32, Lines 37-41)

With respect to claim 10 and incorporating all arguments of claim 5:

- A third means arranged to generate a list of the information identifying each item and arranged to present the unique identifier corresponding to the information stored by the tag attached to each item to a user (Column 7, Lines 10-33, Column 32, Lines 9-41 and Figure 1)

3. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Catan US 2002/0143860 A1.

Catan teaches:

With respect to claim 1, a method for identifying an item to which a radio frequency tag is attached by means of a radio frequency tag detector, wherein radio frequency contact is established between the tag and the detector and information identifying the item and being stored by the tag is received by the detector, the method being characterized in that it comprises the steps of:

- Mapping a unique item identifier against the information stored by the tag and received by the detector (Page 2, Paragraphs 0012-0013)
- Presenting the unique item identifier for a user of the detector (Page 2, Paragraphs 0012-0014)

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With respect to claim 2 and incorporating all arguments of claim 1:

- Wherein the unique item identifier comprises an audio signal (Page 2, Paragraph 0013)

With respect to claim 5, a system for identifying an item to which a radio frequency tag is attached, the system comprising a radio frequency tag detector arranged to establish radio frequency contact with the tag and being arranged to receive information stored by the tag identifying the item, the system being characterized in that it comprises:

- A first means arranged to map a unique item identifier against the information stored by the tag and received by the detector (Page 2, Paragraphs 0012-0013)
- A second means arranged to present the unique item identifier for a user of the detector (Page 2, Paragraphs 0012-0014)

With respect to claim 6 and incorporating all arguments of claim 5:

- Wherein the unique item identifier comprises an audio signal

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Catan US 2002/0143860 A1 in view of Kreiner et al. US 7,032,820 B2.

Catan fails to teach:

With respect to claim 8:

- Wherein said radio frequency detector, said first means and said second means is comprised in a slipcase in which said item can be housed

However, Kreiner teaches:

With respect to claim 8 and incorporating all arguments of claim 5:

- Wherein said radio frequency detector, said first means and said second means is comprised in a slipcase in which said item can be housed
(Column 5, Line 51 – Column 6, Line 51 and Column 8, Lines 8-26)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Catan to include the detector, first and second means in a case that can house the item, as taught by Kreiner, to allow reading of the tag from a stationary reader positioned in the receptacle and a display to indicate whether the item can be recycled (Column 5, Lines 54-56 and Column 6, Lines 5-8).

Allowable Subject Matter

6. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance:

With respect to claim 9:

- A system for identifying an item with an attached RF tag comprising a rf tag detector arranged to establish rf contact with the tag and to receive information stored by the tag identifying the item comprising a first means arranged to map a unique item identifier against the information stored by the tag and received by the detector and a second means arranged to present the unique item identifier for a user of the detector and further including a holder comprising a plurality of slots in which items can be housed, where each slot comprises a rf detector and a selecting means to indicate to the first means which item is to be identified and presented by the second means, the holder being arranged with a displaying device comprising the first and second means

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristy A. Haupt whose telephone number is (571) 272-8545. The examiner can normally be reached on M-F 7:00-3:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/11/06

KAH

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STEVEN S. PAIK
PRIMARY EXAMINER